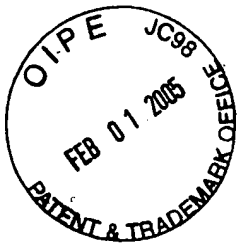


IFW



PATENT
Customer No. 22,852
Attorney Docket No. 04995.0053-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shiv SRIVASTAVA et al.

Application No.: 10/802,823

-*Filed: March 18, 2004

For: PROSTATE-SPECIFIC GENE,
PCGEM1, AND METHODS OF
USING PCGEM1 TO DETECT,
TREAT, AND PREVENT
PROSTATE CANCER

)
)
) Group Art Unit: 1645

)
) Examiner: Stephen Rawlings

)
)
) Confirmation No.: 5907

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed non-patent literature documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 1, 2005

By: 

Timothy B. Donaldson
Reg. No. 43,592
Tel: 571-203-2712
Fax: 202-408-4400

(Use as many sheets as necessary)

| | |
|-------------------------------|------------------------|
| Application Number | 10/802,823 |
| Filing Date | March 18, 2004 |
| First Named Inventor | Shiv SRIVASTAVA et al. |
| Art Unit | 1645 |
| Examiner Name | Stephen Rawlings |
| Attorney Docket Number | 04995.0053-01000 |

| | | | |
|-------|---|----|---|
| Sheet | 1 | of | 1 |
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[illegible]

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation ⁶ |
|----------------------|--------------------------|---|--------------------------------|--|--|--------------------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
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| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation ⁶ |
|----------------------|--------------------------|---|--------------------------|
| | | GenBank, Accession No. AF099810, GI:3800891, 193824 bp DNA, Oct. 28, 1998. | |
| | | GenBank, Accession No. AC006925, GI:4417322, 176186 bp DNA, Mar. 16, 1999. | |
| | | Office Action dated October 22, 2004, from European Application No. 00 918 373.2. | |
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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.